

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 98,375-C)

In the Application of: )  
Mehta et al. )  
Serial No.: 09/701,979 ) Group Art Unit: Not Assigned  
Filed: June 2, 1999 ) Examiner: Not Assigned  
For: METHOD FOR STAINING )  
BIOLOGICAL SPECIMENS BY COMBINING )  
UNSTABLE REAGENTS ON A MICROSCOPIC )  
SLIDE )

TRANSMITTAL LETTER

Commissioner of Patents  
Washington, D.C. 20231

Sir:

In regard to the above-identified application:

1. We are transmitting herewith the attached
  - a. Copy of Notification of Missing Requirements
  - b. Response to Notification of Missing Requirements
  - c. Executed Declaration
  - d. Check in the amount of \$65.00
  - e. Return receipt postcard
2. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.
3. CERTIFICATE OF MAILING UNDER 37 CFR §1.8: The undersigned hereby certifies that this Transmittal Letter and the paper described in paragraph 1, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner of Patents, Washington, D.C. 20231, on February 6, 2001.

02/15/2001 MNGUYEN 00000130 09701979

01 FC:254

65.00 OP

Respectfully submitted,  
McDonnell Boehnen Hulbert & Berghoff

By: Amir N. Penn  
Amir N. Penn  
Reg. No. 40,767

Date: February 6, 2001



10 Rec'd PCT/PTO 12 FEB 2001

PATENT #3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 98,375-C)

In the Application of: )  
Mehta et al. )  
Serial No.: 09/701,979 ) Group Art Unit: Not Assigned  
Filed: June 2, 1999 ) Examiner: Not Assigned  
For: METHOD FOR STAINING BIOLOGICAL )  
SPECIMENS BY COMBINING UNSTABLE )  
REAGENTS ON A MICROSCOPIC SLIDE )

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS OF APPLICATION**

Commissioner for Patents  
Washington, D.C. 20231

In accordance with the Notification of Missing Requirements dated January 11, 2001, a copy of which is attached, we are filing herewith the Declaration and Power of Attorney. Ventana Medical Systems, Inc. is a small entity for fee purposes.

Respectfully submitted,

Date: February 6, 2001

By: Amir N. Penn  
Amir N. Penn  
Reg. No. 40,767



U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/701979	MEHTA	P 98,375 C
PENN AMIR N 300 SOUTH WACKER DRIVE SUITE 3200 CHICAGO, IL 60606		INTERNATIONAL APPLICATION NO. PCT/US99/12263
		I.A. FILING DATE 02 JUN 99 PRIORITY DATE 02 JUN 98 DATE MAILED: 11 JAN 2001

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- a Designated Office (37 CFR 1.494),  
 an Elected Office (37 CFR 1.495):  
 U.S. Basic National Fee.  
 Copy of the international application in:  
 a non-English language.  
 English.  
 Translation of the international application into English.  
 Oath or Declaration of inventors(s) for DO/EO/US.  
 Copy of Article 19 amendments.  
 Translation of Article 19 amendments into English.  
 The International Preliminary Examination Report in English and its Annexes, if any.  
 Translation of Annexes to the International Preliminary Examination Report into English.  
 Preliminary amendment(s) filed \_\_\_\_\_ and \_\_\_\_\_  
 Information Disclosure Statement(s) filed \_\_\_\_\_ and \_\_\_\_\_  
 Assignment document.  
 Power of Attorney and/or Change of Address.  
 Substitute specification filed 12/04/00  
 Verified Statement Claiming Small Entity Status.  
 Priority Document.  
 Copy of the International Search Report  and copies of the references cited therein.  
 Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.  
 The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.  
 b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).  
 c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.  
 The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.  
 d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ \_\_\_\_\_ as a  large entity  small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY  21 OR  31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.  
5.  The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

***A copy of this notice MUST be returned with this response.***

Enclosed